

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Nebraska

United States of America
v.

MARVIN ALEMAN ZEPEDA

Defendant(s)

Case No. 8:25MJ365

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 10, 2025, in the county of Douglas in the
District of Nebraska, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 111(a)(1) & (b)	Assaulting, Resisting, or Impeding Certain Officers or Employees

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to before me by telephone or other reliable electronic means.

Date: 6/12/2025

City and state: Omaha, Nebraska



Complainant's signature

Justin Temperly, SA, HSI

Printed name and title



Judge's signature

RYAN C. CARSON, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

8:25MJ365

MARVIN ALEMAN ZEPEDA,

Defendant.

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
FOR THE ARREST OF MARVIN ALEMAN ZEPEDA**

Your Affiant, Justin Temperly, being duly sworn, does depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I, Justin Temperly, am a Special Agent (SA) with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (hereinafter "HSI"). I have been employed with this agency since January 2024. HSI agents are authorized to investigate violations found in Titles 8, 18, 19 (Customs), and 42 of the United States Code.

2. The information contained in this affidavit is based on my training and experience, my actual knowledge of this investigation, as well as information obtained from other law enforcement officers involved in the investigation.

PROBABLE CAUSE

3. On Tuesday, June 10, 2025, your Affiant, other Special Agents, and Immigration Officers, encountered an individual, later identified as **Marvin ALEMAN ZEPEDA**, DOB: XX/XX/1988, at Glenn Valley Foods, located at 6824 J Street, Omaha, Nebraska 68117, in the District of Nebraska, during the service of a civil search warrant.

4. During the initial containment of the employees of Glenn Valley Foods, Special Agents and Immigration Officers searched the facility for any individuals who were attempting to conceal themselves from law enforcement within the facility. During this search, Deputy United States Marshals (DUSMs) with the United States Marshals Service (USMS), including "DUSM 1," located **ALEMAN ZEPEDA** in a confined area located above office spaces. This area was described as a dark crawl space, near rafters of the building, that was not designed for human occupancy.

5. Once DUSM 1 and other DUSMs located **ALEMAN ZEPEDA**, they directed him to exit the crawl space area and surrender himself to law enforcement. DUSM 1 was the primary contact with **ALEMAN ZEPEDA** for the duration of the encounter. **ALEMAN ZEPEDA** refused commands to exit and surrender, and he displayed a box cutter and other tools in his hands. After repeated commands in both English and Spanish to surrender, **ALEMAN ZEPEDA** failed to comply, and DUSM 1 deployed a TASER in an attempt to secure **ALEMAN ZEPEDA**'s surrender. Instead, **ALEMAN ZEPEDA** pulled the TASER probes out of his leg and continued to refuse to comply with officer commands. **ALEMAN ZEPEDA** then threw the previously mentioned tools in the direction of DUSM 1 and other law enforcement, then retreated further into the crawl space, where his hands were no longer visible to the DUSMs due to tight space and dim lighting.

6. DUSM 1 then deployed a second TASER. Again, **ALEMAN ZEPEDA** did not comply with commands, pulled the probes out of his legs, and continued to retreat further into the crawl space. In their continued efforts to secure **ALEMAN ZEPEDA**, the DUSMs then requested assistance from a Douglas County Sheriff's Office "K9" (i.e., law

enforcement canine officer). After the K9 was brought to **ALEMAN ZEPEDA's** location, where it could be heard barking, and law enforcement informed **ALEMAN ZEPEDA** he would be bitten if the K9 had to be utilized to secure him, **ALEMAN ZEPEDA** ultimately surrendered himself to the DUSMs. With his refusal to follow verbal commands and resistance to the DUSMs, it took law enforcement over 45 minutes to safely secure **ALEMAN ZEPEDA**.

7. **ALEMAN ZEPEDA** was questioned on scene regarding his place of birth, nationality, and real name. At this time, **ALEMAN ZEPEDA** advised he was born in Honduras, is a citizen of Honduras, and that his real name is **Marvin ALEMAN ZEPEDA**, DOB: XX/XX/1988.

8. Based on these facts, your Affiant has reason to believe **Marvin ALEMAN ZEPEDA**, using a deadly or dangerous weapon, assaulted, resisted, opposed, impeded, intimidated, or interfered with federal law enforcement officers while they were performing their official duties, in violation of Title 18, United States Code, Section 111(a)(1) and (b).

Your Affiant declares under the penalty of perjury that the foregoing facts and circumstances are true and correct to the best of his knowledge and belief.


Justin Temperly
Special Agent
Homeland Security Investigations

Subscribed and sworn to before me by telephone or other reliable electronic means on this 12th day of June, 2025.


RYAN C. CARSON
United States Magistrate Judge